

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

COMMON CAUSE, *et al.*,

PLAINTIFFS,

v.

ROBERT A. RUCHO, in his official capacity as
Chairman of the North Carolina Senate
Redistricting Committee for the 2016 Extra
Session and Co-Chairman of the Joint Select
Committee on Congressional Redistricting,
et al.,

DEFENDANTS.

CIVIL ACTION
No. 1:16-CV-1026-WO-JEP

THREE-JUDGE COURT

LEAGUE OF WOMEN VOTERS OF NORTH
CAROLINA, *et al.*,

PLAINTIFFS,

v.

ROBERT A. RUCHO, in his official capacity as
Chairman of the North Carolina Senate
Redistricting Committee for the 2016 Extra
Session and Co-Chairman of the 2016 Joint
Select Committee on Congressional
Redistricting, *et al.*,

DEFENDANTS.

CIVIL ACTION
No. 1:16-CV-1164-WO-JEP

THREE JUDGE PANEL

**LEAGUE OF WOMEN VOTERS PLAINTIFFS' MOTION IN LIMINE TO
EXCLUDE THE TESTIMONY OF SEAN P. TRENDE AT TRIAL**

Pursuant to this Court's text order herein dated June 9, 2017, and Federal Rule of Evidence 702, plaintiffs in *League of Women Voters of North Carolina v. Rucho* respectfully request that this Court exclude the Expert Report of Sean P. Trende, dated April 3, 2017, attached as Ex. 1 to the brief in support filed herewith, and any expert testimony from Mr. Trende offered by the Defendants at trial. The Plaintiffs' rebuttal

report to Mr. Trende's report, prepared by Dr. Simon Jackman, is attached as Ex. 2 to the accompanying brief in support of this motion.

For all the reasons as set out in the accompanying brief in support, Mr. Trende's declaration and anticipated testimony do not meet the standards for expert testimony under Rule 702 and as established in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Wherefore, Plaintiffs hereby move this Court for an Order excluding the opinion testimony of Mr. Trende whether by live testimony or as contained in his expert report.

Respectfully submitted, this 19th day of June, 2017.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing via electronic mail, addressed to counsel for all parties in this consolidated action.

This the 19th day of June, 2017.

/s/ Ruth M. Greenwood _____
Ruth M. Greenwood